

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNIRAM TECHNOLOGY, INC.,

No. C 04-1268 VRW (MEJ)

Plaintiff(s),

**REPORT AND RECOMMENDATION
RE: APPOINTMENT OF SPECIAL
MASTER**

vs.

MONOLITHIC SYSTEM TECHNOLOGY,
INC, et al.,

**ORDER FOR PARTIES TO MEET
AND CONFER RE: SPECIAL
MASTER**

Defendant(s).

The Court is in receipt of the parties' joint meet and confer letter, filed June 1, 2006, regarding plaintiff UniRAM Technology, Inc.'s ("UniRAM") request to compel defendant Taiwan Semiconductor Manufacturing Company, Ltd. ("TSMC") to produce tapeout files in response to its discovery requests. Both parties agree that the tapeout files are relevant, at least to some extent, but TSMC argues that the files contain proprietary information of its customers; therefore, it cannot disclose them without permission under the terms of non-disclosure agreements with its customers.

Upon review of the parties' letter, the Court finds that disclosure is appropriate, but special considerations must be made to protect TSMC's customers. Given the number of parties involved in this disclosure and the amount of supervision necessary to protect the customers' interests, the undersigned hereby RECOMMENDS that Chief Judge Walker, presiding judge in this matter, grant the undersigned authority to appoint a special master for purposes of supervising discovery related to TSMC's customers' tapeout files, with any expenses borne by the parties and TSMC's customers.

To facilitate this, the Court hereby ORDERS the parties to meet and confer within one week

1 from the date of this Order for purposes of jointly recommending a special master. If the parties
2 agree on a special master, they shall so inform the Court. If the parties are unable to agree, they
3 shall each provide a list of three potential special masters and each party shall specify its objections
4 to the other party's choices. If Judge Walker grants authority to appoint a special master, the
5 undersigned shall then appoint the parties agreed-upon master or appoint one master from the party's
6 lists. At that time, the Court shall also specify the procedures for disclosure of the tapeout files.

7 **IT IS SO ORDERED.**

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9 Dated: June 16, 2006



10 MARIA ELENA JAMES
11 United States Magistrate Judge
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